

JASPER L. DODGE.

JUNE 1, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. BROWNLOW, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 100.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 100) for the relief of Jasper L. Dodge, having had the same under consideration, submit the following report thereon:

Similar bills were favorably reported from the Committee on Military Affairs in the Fifty-second, Fifty-third, and Fifty-fourth Congresses.

The following is in part the report made by the Committee on Military Affairs upon the bill introduced in the Fifty-fourth Congress:

Jasper L. Dodge was enrolled June 5, 1861, in Company H, Second Rhode Island Volunteers, to serve three years, and discharged August 24, 1861, by reason of physical disability. It appears that as soon as he was able to do so he reenlisted in Company F, First Rhode Island Cavalry, November 1, 1861, to serve three years, and served faithfully until February 26, 1863, when he was taken prisoner. He afterwards escaped from prison and enlisted October 22, 1863, in the United States Signal Corps, under the name of John Hatch, where he served faithfully until January 26, 1865, when he received a furlough for twenty-five days on account of poor health. Within a month after he was on duty as a soldier of the Signal Corps, at Beaufort, N. C., where he remained until August 17, 1865, when he was discharged the service, the war being at an end. This soldier has a record of long and faithful service in the field—almost three and one-half years—and seven months in prison, and there seems no reason why the relief should not be granted. He does not appear to have been guilty of intentional wrong. As the soldier's absence before reenlisting in the Signal Corps exceeded four months, the War Department has no authority under the general law to remove the charge, and has so decided.

Your committee report that the bill do pass, and annex as a part of their report the military record of the said Jasper L. Dodge.

Case of Jasper L. Dodge, late private, Company F, First Rhode Island Cavalry.

RECORD AND PENSION DIVISION, February 13, 1893.

It is shown by the records that Jasper L. Dodge was enrolled June 5, 1861, in Company H, Second Rhode Island Volunteers, to serve three years, and was discharged August 24, 1861, by reason of physical disability.

Jasper Dodge was enrolled as a private in Company F, First Rhode Island Cavalry, November 1, 1861, to serve three years. He appears to have served faithfully until February 26, 1863, when he was taken prisoner at Hartwood Church.

The records of prisoners of war show that he was confined at Richmond, Va., March 1, 1863; paroled at City Point, Va., March 7, 1863; reported at College Green Barracks, Maryland, March 9, 1863, and deserted April —, 1863. He did not rejoin his company, which remained in service until August 3, 1865.

While a deserter from this organization (the First Rhode Island Cavalry) he enlisted, October 22, 1863, under the name of John Hatch, in the United States Signal Corps, in violation of the twenty-second (now fiftieth) article of war, and served

faithfully therein until January 26, 1865, when he received a furlough for twenty-five days, given on the ground of ill health. While absent on furlough he was arrested, February 7, 1865, at Providence, R. I., as a deserter from Company F, First Rhode Island Cavalry; delivered February 9, 1865, at Fort Columbus, New York Harbor, and \$30 reward paid for his apprehension. He was transferred to City Point, Va., February 10, 1865; received February 14, 1865, by the provost-marshal-general of the armies operating against Richmond, and was sent to Col. H. H. Wells on February 15, 1865. On February 28, 1865, he was again on duty at his post at Beaufort, N. C., as a soldier of the Signal Corps, and continued to serve therein until August 17, 1865, when he was discharged the service, his services being no longer required.

He has repeatedly applied to the Department for removal of the charge of desertion from the records of the First Rhode Island Cavalry.

With regard to this change, he declared that at *Hartford Church*, near Aquia Creek, Virginia, his horse was killed from under him, pinning him to the ground and hurting his leg severely, making it impossible for him to extricate himself; that while in this position bloodhounds tore his arm, and he was captured by the enemy and taken to Libby Prison, Richmond, Va., where he was charged by the prison officials with being a "scout;" that after confinement of about two weeks several prisoners were called out to be paroled, including himself, but not being able to walk he informed the sergeant that he could not go, and the officer in charge remarked, after recognizing him as "the scout," that he would attend to him and would keep him till the war had closed; that the sergeant then motioned another man to take his place, and under the name Jasper L. Dodge this man left with the squad; that he (applicant) remained in Libby Prison until about the last day of September, 1863, when he had so far recovered as to be able to walk, and another squad of prisoners being made up for parole, he stepped into the ranks, and as it was night, very dark, and raining, no recount was made, and he got to Camp Parole, Maryland, without being detected; that while there he was informed that he was charged with desertion on the rolls of his company, and not wishing to return to his regiment on that account, and fearing that the rebels would kill him in case of another capture under his proper name and regiment on account of his escape, he omitted to have his case properly adjusted at Camp Parole, but went to Scranton, Pa., and enlisted in the United States Signal Corps under the assumed name of John L. Hatch, and served in that organization until August 17, 1865.

The Department has declined to remove the charge of desertion on the ground that the soldier's absence in desertion prior to his enlistment in the Signal Corps exceeded four months, and there was therefore no law under which the desired relief could be granted.

Since the last denial (January 16, 1892) the status of the case has not been changed. Respectfully submitted.

F. C. AINSWORTH,
Colonel, United States Army, Chief of Office.

THE SECRETARY OF WAR.

There would seem in this case to be but one question to be determined in favor of the soldier in order to entitle him to a favorable report, and that is, as to the question of identity. If it be a fact that he remained in Libby Prison while another soldier under his name took his place in the squad of men who were marched out from the prison to be paroled, and this other soldier under the assumed name of Jasper L. Dodge was exchanged in lieu of Jasper L. Dodge proper, and the real Jasper L. Dodge was not released from prison until September, 1863, and then enlisted under the name of John Hatch, on the 22d day of October, 1863, in the United States Signal Corps, there would seem to be no question whatever as to granting him the relief proposed by this bill.

That his name was Jasper L. Dodge, that he was in Libby Prison, and that he enlisted in the United States Signal Corps under the name of John Hatch seems to be fully borne out by the record, and your committee find in the circumstances sufficient to justify it in accepting the soldier's own statements of the fact that he remained in prison because of his physical inability to walk, and that the other soldier was released in his stead; and further, that such imprisonment continued until the last of September, 1863, and that he enlisted in such Signal Corps on October 22, 1863.

Your committee concurs in and adopts the favorable report of said former Committee on Military Affairs and recommends that the bill be amended by adding at the end thereof the following proviso, and that when so amended the bill do pass:

Provided, That no pay, bounty, or allowances shall become due or payable by reason of the passage of this act.